



State of Nevada – Department Of Personnel

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
INSURANCE COUNSEL AND HEARINGS OFFICER	40	B	11.408

DEFINITION OF THE CLASS:

Under administrative direction, advises and counsels the commissioner of insurance on all matters relating to the regulatory responsibilities of the department and conducts quasi-judicial hearings for contested administrative cases and/or alleged violations, and prosecute alleged violations of the Nevada Insurance Code and Regulations.

EXAMPLES OF WORK: (The following is used as a partial description and is not restrictive as to duties required.)

Reviews legal documents such as licensing applications, reinsurance treaties, insurance contracts, articles of incorporation, and other legal documents of all persons regulated by the Commissioner under Title 57 and Chapters 616 and 617 of the Nevada Revised Statutes and other provisions within the scope of the Commissioner's authority to ensure compliance with all rules, regulations and laws pertaining to business operations and their ability to meet licensing requirements in Nevada.

Presides as hearing officer over administrative hearings conducted pursuant to Title 57 and Chapter 233B of the NRS. Controls hearing process; reviews, analyzes and weighs evidence and arguments; and ensures the due process rights of the parties are maintained.

Writes and edits findings of fact and conclusions of law and recommended order and submits to Commissioner for final approval.

Administratively prosecutes violations of Nevada Insurance Law and or defends the division's position. Determines the division's legal position and develops evidence and testimony which clarifies legal issues and the applicability of regulation and code.

Supervises clerical and support staff by participating in the selection process, providing staff training and development, assigning and reviewing work, evaluating work performance and initiating first level disciplinary actions.

Serves as a liaison between the Division and boards, commissions, industry representatives and the general public in order to provide information regarding division activities including coordinating efforts on mutual concerns and/or to provide technical assistance regarding insurance related matters.

EXAMPLES OF WORK: (cont.)

May officiate over all active screening panel cases; ensure complaint, answer and reply are filed within the required deadlines; supervise the panel selection process and provide training to panel members regarding rules and substantive law. Act as counsel, conducts legal research and preside as hearing officer over administrative hearings.

EDUCATION AND/OR WORK EXPERIENCE:

Graduation from an accredited law school plus one year of experience as a practicing attorney.

LICENSE: Current license to practice law in the State of Nevada is required at the time of appointment.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES REQUIRED: (These may be acquired on the job and/or needed to perform the work assigned.)

Knowledge of the Nevada Revised Statutes, Nevada Administrative Code and division rules and regulations as applied to persons regulated by the Insurance Division. Knowledge of supervisory techniques including selection, training, motivation, work assignment and review, establishing work performance standards, and discipline. Knowledge of insurance risk analysis, rating systems, rating plans and rate making and classification. Knowledge of organization and operation of insurers, health maintenance organizations, agents, brokers, administrators and other licensees. Knowledge of the National Association of Insurance Commissioners handbook. Knowledge of federal laws applicable to the regulation of insurance activities.

Ability to effectively interact with hearings participants, petitioners, their counsel, witnesses and representatives of the department in a manner which produces an orderly, impartial environment. Ability to make impartial hearing decisions based on fact and law. Ability to analyze and communicate decisions concerning motions, objections, and evidence introduced into the hearing record. Ability to prioritize assignments and to complete work in a timely manner in the event of changes in workload, assignments and deadlines. Ability to conduct special investigations and studies.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES REQUIRED: (Applicants will be screened for possession of these through written, oral, performance or other evaluation procedures.)

Working knowledge of the evidentiary requirements of the adjudicative process. Working knowledge of claimants rights under due process. Basic knowledge of insurance practices under which insurance companies, agents and brokers operate. Knowledge of insurance coverage, terms and industry practices. Knowledge of federal statutes and regulations pertaining to insurance. Knowledge of generally accepted accounting principles and practices.

ENTRY KNOWLEDGE, SKILLS AND ABILITIES REQUIRED: (cont.)

Ability to write decisions and opinions clearly, concisely and accurately. Ability to read laws, regulations, policies, procedures, legal documents and medical reports at an interpretative level. Ability to work independently with minimal supervision. Ability to interpret legal requirements and insurance industry practices and apply them to financial records, operating procedures and business operations. Ability to coordinate work of assigned staff. Ability to analyze contracts, articles of incorporation, by-laws, etc. to ensure compliance with NRS and related regulations and common law. Ability to write analytical reports and business correspondence. Ability to make oral group presentations. Ability to mediate disputes and negotiate settlement of fines and disciplinary actions. Ability to organize and analyze data.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

11.408

ESTABLISHED:	6/7/71
REVISED:	1/7/83-3
REVISED:	12/11/92R
	3/30/94UC
REVISED:	7/1/95P
	9/16/94PC